

REMARKS

Reconsideration of this application is requested. Claims 1-13 are pending and at issue.

Claims 1-3, 6, and 9-13 have been rejected under 35 U.S.C. §102(b) as anticipated by an article entitled "Tropical & Subtropical Fruits" (the "Ag. Tech. article"). The Examiner argues that the article teaches propagating bananas by planting a sucker substantially horizontally.

Contrary to the Examiner's assertion, the article does not disclose or suggest planting suckers substantially horizontally. Rather, the article teaches planting the suckers in pits or furrows. *See* p. 1 of the article, under "Planting." The "pit" and "furrow" methods referred to in the article entail planting suckers vertically, which is the traditional method of planting suckers. *See* p. 2, ¶ 5 of the present application.

The Ag. Tech. article does not disclose a method of propagating bananas by planting a sucker substantially horizontally as presently claimed and therefore does not anticipate any one of claims 1-3, 6, or 9-13. Accordingly, applicant respectfully requests withdrawal of this rejection.

Claims 4, 5, 7, and 8 have been rejected under 35 U.S.C. §103(a) as obvious over the Ag. Tech. article. The Examiner argues that it would have been obvious to one of ordinary skill in the art, in view of the teachings of the article, to plant the suckers pairwise in order to conserve land space. The Examiner further argues that it would have been obvious to select only two suckers for maturation in order to obtain the desired number of plants.

As discussed above, the Ag. Tech. article does not disclose or suggest planting suckers substantially horizontally. The Ag. Tech. article also does not disclose or suggest planting suckers *pairwise*. Rather, the article teaches planting suckers with equal spacing:

"Tall varieties should be planted at 3x3 m whereas dwarf ones at 2x2 m apart."

See the section entitled "Planting" on page 1 of the Ag. Tech. article.

Additionally, the article teaches away from growing more than one plant from a single planted sucker. According to the article, "the unwanted suckers, which develop near the base of the plant [i.e., a single plant], are removed." This operation is characterized as "an important operation in banana cultivation." See the section entitled "Desuckering" on page 1 of the Ag. Tech. article.

Finally, the presently claimed method of propagating bananas yields significantly more bananas per unit area than the traditional method of propagating bananas by planting suckers vertically. This is shown by the comparative example on pages 9 and 10 of the present application and corrected Tables 1 and 2 in the Declaration of Shimon Tsurgil submitted January 20, 2004. The suckers planted substantially horizontally had a yield of 3136.8 per dunam, 30% more than those planted vertically. The Ag. Tech. article cited does not disclose or suggest the improved yield due to planting suckers substantially horizontally.

For the foregoing reasons, the Ag. Tech. article fails to render obvious claims 4, 5, 7 and 8. Accordingly, applicant respectfully requests withdrawal of this rejection.

In view of the above arguments, the pending claims in this application are believed to be in condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

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Respectfully submitted,

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